

**NWX-DEPARTMENT OF INTERIOR-NBC**

**Moderator: Jennifer Romero**  
**October 26, 2015**  
**1:00pm CT**

Coordinator: Welcome and thank you for standing by. At this time all participants are in a listen-only mode until the comments section of today's conference. At that time to provide a comment please press star 1 on your phone and record your name at the prompt. This call is being recorded. If you have any objections you may disconnect at this time. I'd now like to turn the call over to Miss Jennifer Romero. You may begin.

Jennifer Romero: Thank you, (Kathy). Good morning, and aloha from Washington, DC. Welcome to the first public meeting on the proposed rule entitled Procedures for Reestablishing a Formal Government-to-Government Relationship with the Native Hawaiian Community. I'm Jennifer Romero, Senior Advisor in the Office of the Secretary of the Department of the Interior. Thank you for joining us.

Before we open up the phone lines for comments on the proposed rule and start the clock for our three-hour session today, I'd like to introduce the Department of the Interior officials sitting in Washington, DC. We have (Chris Starre), Principal Deputy Assistant Secretary for Policy Management

and Budget, (Jody Cummings), Deputy Solicitor in the Office of the Solicitor, and myself.

To start the call we thought it would be helpful to begin by providing a substantive overview of the proposed rule. (Jody Cummings) will provide that overview now.

(Jody Cummings): Thank you, Jennifer. To start with, I'll provide a quick summary of the department's notice of proposed rule-making. I won't be able to cover everything contained in the notice of proposed rule-making, so I encourage everyone to read that document as well. It's available on the department's Web site if you search for office of native Hawaiian relations online.

It is also available at [www.regulations.gov](http://www.regulations.gov) by searching for the term native Hawaiian. The native Hawaiian community has one of the largest indigenous populations in the United States, but unlike more than 500 federally recognized native communities on the continent, native Hawaiians lack both an organized government and a formal government-to-government relationship with the United States.

In response to requests from the native Hawaiian community, the department published an advance notice of proposed rulemaking in June 2014. That document solicited public comment regarding whether the department should assist with first reorganization of a native Hawaiian government, and second, reestablishment of a formal government-to-government relationship with the native Hawaiian community.

The department conducted a total of 15 public hearings in Hawaii and received over 5000 public comments. The department greatly appreciated the strong public interest and response to the advance notice. Following review of

these documents, the department determined that it would not propose a rule that attempted to involve the department with organization of a native Hawaiian government, or setting the form or structure of that government.

The native Hawaiian community itself should determine whether and how to reorganize a government. The department has proposed a more limited rule creating a process that the secretary of the interior would use to determine whether to reestablish a formal government-to-government relationship if the native Hawaiian community forms a government that then seeks such a relationship with the United States.

The proposed rule involves a multi-step process. First the native Hawaiian community would draft a constitution or other governing document. The community would then vote on a constitution in a ratification referendum. If the constitution is approved the community would elect leaders of the new government. Then the new government could if it decided to do so submit to the secretary of the interior a request to reestablish a government-to-government relationship.

Applying specific criteria set forth in the proposed rule, the secretary would decide whether to grant or deny the request. The native Hawaiian community's government-to-government relationship with the United States would then be the same under the US constitution and federal law as that of any federally recognized tribe in the continental United States and the native Hawaiian government would be recognized as having the same inherent sovereign governmental authorities subject to Congress's plenary authority.

I want to emphasize that the community would make all of the key decisions in this process. The community would draft the governing document, ratify that document, elect leaders, and decide whether to seek a formal relationship

with the United States. The federal government's role would be limited to receiving a request from the new government and deciding whether the request meets the criteria of the proposed rule.

An important theme we heard in previous public comments is that those native Hawaiians who are eligible for benefits under the Hawaiian homes commission act were concerned about protection of their rights. The proposed rule contains language explaining that it does not affect the rights of beneficiaries.

The rule also provides that the ratification vote would have to be supported by a majority of the HHCA beneficiaries who vote as well as a majority of native Hawaiians generally. Again this has just been a short overview of the proposal. I encourage everyone to read the proposal itself.

Jennifer Romero: Thank you, (Jody). This is Jennifer Romero again. Now I'm going to provide some guidelines for the call. Today's call is scheduled for three hours and will be recorded and transcribed for the record. A written transcript of this call will be available for review on our office of native Hawaiian relations Web site at [www.doi.gov/ohr](http://www.doi.gov/ohr) within a few days. Please check the Web site regularly for updates.

In order to maximize the use of our limited time to hear as many of your comments as possible, we'll limit each speaker to three minutes. Before you begin your testimony, please say and spell your name and let us know if you are testifying on behalf of yourself or for an organization. Because we have many participants today we will have to enforce this three minute time limit strictly.

We will then move on to the next caller promptly at the three-minute mark. We understand that three minutes is not a lot of time. We urge you to be specific, explain the reasoning behind your comment, and address the proposed rule. We are very interested in hearing your thoughts on the procedure and criteria that's set out in the proposed rule for reestablishing a formal government-to-government relationship between the United States and the native Hawaiian community.

If there is time remaining after all speakers have commented we may open up the call for a second round of comments. Please note that written comments on the proposed rule may be submitted any time until December 30, 2015. Instructions for submitting written comments can be found at page 59114 of the federal register notice announcing the proposed rule, which can be found at [www.federalregister.gov](http://www.federalregister.gov), or the Web site for the office of native Hawaiian relations.

This call is facilitated by an operator. Her name is (Kathy). She will manage the time and take comments as they come in. (Kathy) will patch speakers through to the panel when it is their time to speak. All callers are able to listen. Callers do not have to testify for the record. You may just listen in. Please be thoughtful of others and respect the time limitations. We would like to hear from everyone who chooses to speak in the three hours we have set aside today.

Unfortunately we're unable to provide translation services so if you would like to testify in your native language, please provide translation for us during your allotted speaking time so that we too understand the meaning of your comments. Finally some guidance on our process, for many federal proposed rules the only way to comment is to submit a comment in writing.

But for this proposed rule we are hosting teleconferences such as this one to accommodate speakers who would like to make oral comments for the record. As I mentioned earlier these comments will be transcribed and made available for review on our Web site. Comments made on this call and on the following calls related to this proposed rule will be treated exactly the same as written comments.

The department will collect all comments, categorize them, and then summarize them in order to undertake this analysis. If a final rule is issued, we will provide our responses to the comments in writing in the federal register. This is the standard process for federal rulemaking by any federal agency. That is why today the federal panel is in listening mode only. We will not respond to any substantive comments or questions today.

Since the focus of this call is to hear testimony on the proposed rule, we try to anticipate frequently asked questions related to the proposed rule in an FAQ document available on our office of native Hawaiian relations Web site. The text of the proposed rule also contains answers to questions we received during the advance notice of proposed rulemaking phase of the rulemaking.

Again today's meeting is not intended to be a dialogue or a conversation. It is simply an opportunity for you to make official public comments on the proposed rule without having to put pen to paper and without having to type out an email. Thank you for your understanding of our process. With that, (Kathy), let's take the first caller.

Coordinator: We will now begin the comment session. If you would like to provide a comment please press star and then 1 and record your name at the prompt. To withdraw your comment, press star and then 2. Again to provide a comment please press star 1 and record your name. One moment please for our first

comment. Our first comment comes from (Jolet Lopez). You have an open line.

(Jolet Lopez): Aloha, thank you very much for making one, time for this conference call. Mostly what I wanted to indicate is that I appreciate the work that you folks have done and the listening you did. Many of the people who commented did want to make it clear that native Hawaiians do want to determine our form of government and the way the rules have been drafted do make clear that we're primarily providing the administrative and processes by which we would have to demonstrate that we actually have broad support.

If anything perhaps one of the things that we'll look to try to provide comments on is whether the thresholds for the number of native Hawaiians that have to cast votes, whether it's in our opinion too high or too low. I think that's definitely an area that we have to take a look at. Other than that I think the fact that you've made them very straightforward enables us to really take a look at the issues related to the timing.

I think the other thing we might have some comments on relates to the amount of time the secretary can make the decision. We probably want to have some type of safeguard to ensure that that wasn't delayed in any way. You know, as a people we've been waiting probably at least a hundred plus years to get to the point of developing a government.

The only other thing I would add, and this is probably more for people listening in, is that this strictly relates to what our relationship would be, our native Hawaiian government's relationship would be with the United States. It does not in fact articulate or draw up how we want to form our government and what our relationship with other governments would be. It strictly focuses on the native Hawaiian government's relationship with the United States.

And I definitely appreciate the thoroughness and the degree to which the secretary or his staff attempted to keep as much as possible within the hand of the native Hawaiians to develop our own government structure, and that's essentially my thoughts at this time on the topic.

Coordinator: At this time there are no further comments in queue. Once again if you have a comment, please press star 1 and record your name. Our next question comes from (Lilee Comiliua). You have an open line.

(Lilee Comiliua): Hi, this is (Lilee Comiliua) calling from (unintelligible). And I'm calling to comment and to thank the DOI for opening the space for us to have a discussion about federal recognition. I think it's very important that native Hawaiian are allowed now to form our own government which we are in the process of doing, that we can have a time to write our constitution, to seek our government, and then to discuss with the DOI about the rules for federal recognition.

Like the previous caller I am a little worried about the numbers that are required. However I think the rules are - that you have laid out are very fair and it will really be up to the Hawaiian people to decide if this is the path they want to take. We will see what will happen after we have our constitutional convention, and after we see that government.

However, I'm so pleased that we now can have a pathway towards a federal government in this manner. We as Hawaiians have been waiting many, many years to regain control over our lives again as native Hawaiians to have a way to negotiate for islandees so that we may be able to practice our culture, to you know, (unintelligible) for our people to provide food for our people, to plant



our own kinds of food, to build our schools, different schools where we can teach our children our language and our culture.

We know that 46 - excuse me, 48% now of all native Hawaiians have to live outside of Hawaii because of the high cost of living now, so I look at federal recognition as a way that we can negotiate over our sovereign rights and we can work out a way to live within the federal government's sets and that the federal government can provide in a way for dealing with the sovereignty of the native Hawaiian people so that my grandchildren may have land in Hawaii to live forever. Thank you very much for this time.

Coordinator: Once again if you have a comment please press star 1 and record your name. At this time there are no further comments in the queue. If you would like to provide a comment please press star 1 and record your name. To withdraw a comment, press star 2. Our next comment comes from (Kahil Lewis). You have an open line.

(Kahil Lewis): Aloha. I just wanted to call in and mahalo to the department of interior for opening this - for providing this opportunity for native Hawaiians. I absolutely support this. I think it's important for Hawaiians to keep all their doors and options open. I will put my more substantive comment in writing, but really just wanted to chime in and say (unintelligible) and looking forward to providing that comment and thank you again for this opportunity.

Coordinator: Thank you for your comment. The next comment comes from (Anthony J Lechenko).

(Anthony J Lechenko): Hello, (unintelligible). The secretary of the interior, secretary should consider whether to propose an administrative rule that would facilitate the establishment of a government-to-government relationship with the

Hawaiian homes commission act, HHCA native Hawaiian communities to more effectively implement the special political interest relationship that Congress has established between that community and the United States.

The United States have acknowledged the actions and (unintelligible) apology resolution as well as the conclusive interests of the HHCA native Hawaiians. The culmination of that reconciliation process must now ultimately result in executive confirmation of a government-to-government relationship between an HHCA native Hawaiian political entity and the federal government which serve into the office of the President's authority as an executive order.

The nature of that relationship and to particular entities helped with by the United States should be determined by the authority of the executive order in consultation with the HHCA native Hawaiians, thereby the secretary may not establish prerequisites pursuant to Congress's plenary authority over Indian affairs. In order for acknowledgement of the executive order of a government-to-government relationship in a compact of association between the US government and government determined by the HHCA native Hawaiian community as a freely associated state.

And the secretary should not insist reliance such a compact of free association to be facilitated by the state of Hawaii. A freely associated state and compact of association is consistent within federal law as funded by Congress and administered by the office of interior affairs within the department of interior. Thereby the secretary can effectively facilitate executive order for the establishment of a government-to-government relationship in the compact of association between the US government and the government determined by HHCA native Hawaiians as a freely associated state.

And the secretary can efficiently administer the executive order and Congressional funding in determining with which the United States could recognize such a government-to-government relationship in a compact of free association. And the secretary can conclusively administer the use of order and Congressional funding for the HHCA native Hawaiian education towards the process of delegates serving in the HHCA native Hawaiian convention.

To one, draft a constitution to be ratified by the HHCA native Hawaiian community, and two, to have organic documents negotiable in the compact of free association between the governments of the US and the free associated state. To the secretary...

Coordinator: Thank you for your comments. Your time is up. Once again if you'd like to comment please press star 1 and record your name. Our next comment comes from (Rakim Levarras).

(Rakim Levarras): Aloha, I just would like to submit my support for the DOI rulemaking this morning. That is all, (unintelligible).

Coordinator: At this time there are no comments in the queue. If you'd like to make a comment please press star 1 and record your name. And we have another comment from (Anthony J Lechenko). Sir, you have an open line.

(Anthony J Lechenko): Aloha, cool, and welcome everyone again. Should the secretary propose an administrative rule that would facilitate the establishment of a government-to-government relationship with the HHCA native Hawaiian community, any such administrative rule proposed by the secretary of interior must facilitate the establishment of a government-to-government relationship and a compact of association between the US government and the government

determined by the HHCA native Hawaiian community as a freely associated state.

Should the secretary assist the HHCA native Hawaiian community in reorganizing a government with which the United States should establish said government-to-government relationship, the government should be the secretary must assist the process with which the United States could establish a government-to-government relationship in a compact of free association.

If so what process should be established in drafting and ratifying an HHCA native Hawaiian government's constitution or other governing documents? A process for HHCA native Hawaiian community education must be established as the process of delegates drafting a constitution and any organic documents negotiable in a compact to be ratified by the HHCA native Hawaiian community as a freely associated state.

Should the secretary instead rely on the reorganization of an HHCA native Hawaiian government, related process attached by the HHCA native Hawaiian community as facilitated by the state of Hawaii (unintelligible) such as process as is consistent with federal law? The secretary should not instead rely on the organization of an HHCA native Hawaiian community through a process facilitated by the state of Hawaii.

If so what conditions should the secretary establish as prerequisites to better acknowledgement of the government-to-government relationship with an HHCA native Hawaiian government? Prerequisites for freely associated states and compacts of association are consistent with federal law and are administered by the office of internal affairs within the department of interior. (Unintelligible). I'm a lessee of - on Hawaiian homelands (unintelligible) estates in (unintelligible) Oahu, Hawaii.

Coordinator: Our next comment comes from (Hanoi Pulani).

(Hanoi Pulani): Hello, and thank you for allowing me to speak. My name is (Hanoi Pulani). I am also a homesteader living in (Unintelligible). I'd first of all like to thank you folks for putting forth this process, you know, by which a duly recognized native Hawaiian government can then you know, take action on and say if they would like to engage in a relationship with the United States government.

You know, as many of the prior speakers have mentioned before me, this is something that's longstanding and overdue and it's something that we need to consider at least at the native Hawaiian government that comes together needs to consider for the sake of perpetuating and preserving our culture, our heritage, our people, our language, so it is - an island delegate to DOI or secretary (unintelligible) at least listening to the people across the state of Hawaii by having the 15 public hearings so we can just voice our concerns, share our interest, and then come to this point where we have this rulemaking process that will at least provide us with an opportunity.

So like others, I will be providing more substantive comments in the form of writing, but I wanted to thank you folks for the record for all of your efforts, (unintelligible).

Coordinator: Once again if you'd like to make a comment, please press star 1 and record your name. To withdraw your comment, press star 2. At this time there are no comments in queue. If you'd like to make a comment please press star 1 and record your name. Our next comment comes from (Lahidi Kuwau).

(Lahidi Kuwau): Hi, this is (Lahidi Kuwau) calling again, I think it's very important that we support the upcoming elections and allow Hawaiians, both a 50% blood

(unintelligible) and less than 50% blood (unintelligible) to be able to elect delegates to a constitutional convention to write a constitution for a native Hawaiian government. Very, very important that this process be supported and be allowed to go forward.

And I'm very happy that the DOI has supported this process so far, and that we've been able to avail in the courts. This is a historic moment for native Hawaiians to find a way to discuss these important matters such as the constitutional convention separately as native Hawaiians without interference from the state of Hawaii such as we have right now.

Native Hawaiians electing native Hawaiians to have a native Hawaiian constitution to seat a native Hawaiian government. It is our dream. It has been our dream for the last 30 or 40 years. It's a wonderful thing because it's finally happening now, so I wanted to thank the DOI for your rules, for your support, and for your understanding about how difficult this is in our own community and yet how wonderful it is.

We are moving forward to make a positive change for our people and find a way to work in harmony with America, because I know sometimes we'll have disagreements as we see every day in Congress, but there is a pathway open now to us to break the (unintelligible) in 1893. Thank you very much.

Coordinator: We now have a comment from (Jerilee Lopez).

(Jerilee Lopez): Hello, again. This is (Jerilee Lopez) from (unintelligible), Hawaii. I just wanted to reiterate, I did provide my comments earlier but in reviewing the rules again I just wanted to comment on the fact that I really appreciate the thoroughness and degree of work put into the department of interior rules.

What I especially appreciate is the fact that they're very straightforward and provide a lot of latitude as I indicated earlier for the native Hawaiian people.

Being familiar with administrative rules I appreciate that they're brief, to the point, aren't overly complex and/or difficult for people to comprehend. Again, you know, although the document is relatively fixed, it's relatively short set of goals and I appreciate that it's not a major novel with regards to the rules themselves. You've kept it to the point as it relates to what the secretary makes it very clear to us what we as a Native Hawaiian people wanted to develop a government-to-government relationship need to do, need to follow and our thresholds.

I appreciate the seven elements again, they're to the point and you know, from my perspective very simple and I believe easy for us to follow. The key for us is that you've left the work to the native Hawaiian people to actually meet the requirements in our development of the government structure, and anyway I just wanted to reiterate that because I was reviewing them again just now and see the amount of work that was required to try to get the rules to the point, very succinct, simplified, and providing again the latitude for the native Hawaiian people.

I know this is a significant part of the comments you're provided, and clearly you're given those at the presentation. Anyway, I just wanted to for the record reiterate that. Mahalo.

Coordinator: At this time if you'd like to make a comment, please press star 1 and record your name. Once again if you have a comment, you may press star 1 and record your name. To withdraw your comment you may press star 2. Thank you. Our next comment comes from (Jacob). (Jacob), you have an open line, sir.

(Jacob): Thank you. I just wanted to thank the Obama administration, you know, for allowing us to have this opportunity to move forward as a people and to move forward as a nation, but I believe that it's important for all of us as Hawaiians to keep all our options open as we move forward through this nation building process. I believe that we have a unique opportunity presented in front of us and I believe that we should take full advantage of these opportunities.

I stand support in the - of the DOI ruling and I just want to say mahalo again to all of those who have put forth the effort to bring us to where we are today. (Unintelligible).

Coordinator: The comment queue is open. If you have a comment, please press star 1 and record your name. If you would like to comment, please press star 1 and record your name. Your recorded name is required in order to promote your comment. Thank you. Our next comment comes from (James Avino). You have an open line.

(James Avino): Aloha, and (unintelligible) day. My name is (James Parris Avino). I'll be as brief as possible since I'm not native Hawaiian, but I want to emphasize as a fellow Pacific Islander and as a (Chamorro) as the indigenous people of Guam how important this initiative and proposed rule is. A pathway vis-a-vis this proposed rule to reestablish government-to-government relations between the US government and native Hawaiians is so critical.

All islanders and all Americans need to be paying attention. We your brothers and sisters who live or descend from the proud people of other islands that are now US territories eagerly await and support the native Hawaiian community as you navigate this process. We stand in support of you. (Unintelligible) for



your leadership. It will have an impact for all generations and all people on our islands seeking self-determination, representation, equality and justice.

Coordinator: The comment queue is currently open. If you'd like to comment please press star 1 and record your name. To withdraw a comment press star 2. Once again if you'd like to comment please press star 1 and record your name. The comment queue is open. If you'd like to comment, please press star 1 and record your name. To withdraw your comment, press star 2. Once again if you have a comment, please press star 1 and record your name.

Thank you. The comment queue is open. If you'd like to make a comment, please press star 1 and record your name at the prompt. We are currently open for comments. If you'd like to make a comment, please press star 1 and record your name at the prompt. To withdraw your comment, press star 2. Once again to provide a comment please press star 1 and record your name. Our next comment comes from (Tommy Sukanuma). You have an open line.

(Tommy Sukanuma): I support the DOI process.

Coordinator: Our next comment comes from (Kuhawi Ishakawa). Sir, you have an open line.

(Kuhawi Ishakawa): Aloha, my name is (Kuhawi Ishakawa). My comment is in regards to the proposed rule section 50.44, item A. We said upon reestablishment of the formal government-to-government relationship the native Hawaiian governing entity will have the same government-to-government relationship under the United States Constitution and federal law as the government-to-government relationship between the United States and the federally recognized tribes in the continental United States.

And the same inherent sovereign governmental authority, I would suggest or request that it gives examples of that authority, of what the government relationship would entail and if they for example but not limited to such and such, just to elaborate that section, make it more clear as to what the government would be able to do. That's all.

Coordinator: If you have a comment, please press star 1 and record your name. Thank you. Once again the comment queue is open if you'd like to make a comment. Please press star 1 and record your name. Thank you. We are currently open for comments. If you'd like to make a comment please press star 1 and record your name at the prompt. To withdraw your comment press star 2. Again to provide a comment, please press star 1 and record your name. Thank you. Next comment comes from (Ahali Ishakawa). Mr. Ishikawa, you have an open line.

(Ahali Ishakawa): Thank you. I'm just going to try and say what I was trying to say earlier. My comment is in regards to section 50.44A on the proposed rule. I would like that section to list what inherent sovereign governmental authorities the native Hawaiian governing entity will have, whether it's sections of law or like, whatever inherent sovereign governmental authorities that section is referring to. Mahalo. That's the end of my comment.

Coordinator: Once again if you'd like to provide a comment please press star 1 and record your name at the prompt. Once again if you'd like to provide a comment you may press star 1 and record your name at the prompt. Thank you. The comment queue is currently open. If you'd like to provide a comment, please press star 1 and record your name at the prompt. Thank you. Our next comment comes from (Brick Brutellagaria).

(Brick Brutellagaria): Aloha, this is Hawaii state senator (Brick Brutellagaria). I'm calling in full support of the process that's going on right now. I was a part of the step 195, which is advancing self-determination for native Hawaiians, so we feel as if federal recognition is necessary and the vast majority of native Hawaiians in Hawaii want to see this happen.

Unfortunately many of us are at work today and if we have any call-in participation, but please be advised that we do want this to happen and we appreciate the process and what's going forward. Thank you to everyone at the department of interior for moving forward with this. Thank you and aloha.

Coordinator: Once again if you'd like to provide a comment please press star 1 and record your name at the prompt. Thank you. We have another comment from (Brick Brutellagaria).

(Brick Brutellagaria): Aloha once again. This is Hawaii state senator (Brick Brutellagaria), just ensuring that my previous call got through. We're in total support of the DOI process right now and we appreciate what's going on. The vast majority of native Hawaiians do want to see this happen. It is unfortunate that it is happening during the work day. So many more people would call in support, but you have many people who are calling from what I understand. Thank you very much. Aloha.

Coordinator: And thank you for your comment. Our comment session is in progress. If you'd like to provide a comment, please press star 1 and record your name at the prompt. To withdraw your comment, press star 2. Again to provide a comment, you may press star 1 and record your name. Our next comment comes from (Naomi Kahn). You have an open line.

(Naomi Kahn): Aloha, my top call, (Naomi Kahn). I'm finding it interesting listening to the comments that we haven't heard any comments, I'm going to testify against the proposed rules when there were public hearings in Hawaii. Clearly this is a question that is divisive in our community, but what is encouraging is that we've all had an (unintelligible) to bring together native Hawaiians with diverse viewpoints on this issue.

And hopefully at the end of the day the best decision will be made, be it federal recognition or any other kind of recognition. In the meantime though I support the rules though I did have some concerns about some of its provisions, but I support it because it's an option that should be open for consideration by our people. I think it's not in our best interest to close any pathway but to choose wisely the best pathway.

And so I'm hoping that you know, we will all engage with the DOI to make the - all this feedback we have sent to our comments, the best policy. Secondly I would just like to know that this task began the state venture committee at the Democratic Party of Hawaii, long supporters from the beginning of the illegal overthrow of government (unintelligible) stood by her and stood by self-governance of native Hawaiians.

And this past Saturday they passed a resolution supporting the purpose of the proposed federal rules supporting the purpose, I want to make that clear, the purpose of the proposed federal rules for reestablishing a government-to-government relationship between the United States and the native people and that it supports any efforts by the native Hawaiian people to reorganize themselves and their indigenous right of self-government in a representative democratic government.

And so again mahalo (unintelligible) for sending us these rules and for attention to set it up. I for one will be commenting in support of the rule that covers these and will ask you to consider some amendments. Mahalo (unintelligible) and have a great day. Aloha.

Coordinator: And thank you for your comment. Our next comment comes from Kahale Ishikawa. Mr. Ishikawa, you have an open line.

Kahale Ishikawa: Aloha, or (unintelligible). I am both for and against this rule. First I am for this rule for reasons that (Unintelligible) have brought up in various videos on YouTube that I've been watching. With regards to creating a government that could negotiate with the federal government to try to save funding for programs for Hawaiians in the future for - basically for the survival of Hawaiians.

I am against this rule because I believe the whole process from the 1990s until now is a distraction from the fact that Hawaii was never ceded to the United States. So really the whole process is just a cover-up to ensure that it'll be destruction continues for as long as possible. So that's why I'm against this rule. And that's the end of my comments. Mahalo.

Coordinator: Thank you for your comments. Once again if you'd like to make a comment please press star 1 and record your name at the prompt. Our next comment comes from (Kapua Figul). You have an open line.

(Kapua Figul): Aloha. I just wanted to express my appreciation to the DOI for providing (unintelligible). I support keeping options for self-government open to all Hawaiian people, so again thank you. Aloha.

Coordinator: Thank you for your comments. Comment session is open if you'd like to provide a comment. Press star 1 on your phone and record your name at the prompt. The comment session is open. If you'd like to provide a comment please press star 1 and record your name at the prompt. To withdraw your comment press star 2. Once again to provide a comment press star 1 and record your name. Thank you. Our next comment comes from (Kahawi Ishakawa). Mr. Ishikawa, you have an open line.

Kahale Ishikawa: Hello, this is not really a comment. I just wanted to make sure (Kathy) or whoever spelled my name correctly on my previous comments. It's Kahale, that's K-A-H-A-L-E, last name Ishikawa, I-S-H-I-K-A-W-A. That's it. Thank you.

Coordinator: Thank you, sir. I've got that. Thank you. Once again if you'd like to provide a comment, please press star 1 and record your name at the prompt. To withdraw your comment, press star 2. Again to provide a comment, please press star 1 and record your name. Thank you. Our next comment comes from (Daviana McGregor). You have an open line.

(Daviana McGregor): Aloha. I just want to thank the department of interior for developing such an important precedent and rule that will open the pathway for native Hawaiians to choose to reestablish a government-to-government relationship with the federal government. This is a breakthrough that I know I've been working for about 40 years, probably.

And many in our community who are on the front line of the aloha IMS struggles feel that it is important that we have the right to reestablish this government-to-government relationship in order to best protect our lead trust and our ancestral lands and national lands and also to protect the entitlements that native Hawaiians now have through federal programs.

I will be submitting more detailed comments on different sections of the rule itself. Still considering the thresholds that are set for approval of the governing document by the community to apply for and begin the process of federal recognition, but in general I support the rule and hope that we can move forward quickly to affirm it and to have it established as a policy of the US government so that when the native Hawaiian government is formed we - and we decide we want to pursue that pathway, it would be open sooner rather than later, because we've already been waiting decades for this to be passed.

And time is of the essence for us. They say justice delayed is justice denied, and this I think will also be a pathway for native Hawaiians to achieve justice with the federal government for past wrongs and this would be a pathway to begin to seek repatriation of national lands that are now under control of the federal government. So thank you and mahalo and aloha.

Coordinator: Thank you for your comments. At this time the comment session is open. If you'd like to make a comment please press star 1 and record your name at the prompt. Thank you. The comment session is open. If you'd like to make a comment please press star 1 on your phone and record your name at the prompt. Once again the comment session is open. If you'd like to provide a comment please press star 1 and record your name at the prompt. Thank you. We have another comment from Kahale Ishikawa. Sir, you have an open line.

Kahale Ishikawa: Thank you. My comment is - almost first off, my comment with regards to section 50.4 of the rule, which is definitions, and I'm talking about definition of native Hawaiian governing entity. I would like to see this definition changed to read, I mean, the native Hawaiian communities representative entity, so take out sovereign and government and replace it with representative

entity, with which the secretary establishes a formal government to community relationship.

And so this carries on through the rest of the rule, proposed rule, everywhere it says government-to-government I would like it to say government to community or government to community relationship and to take out the word sovereign when referring to this native Hawaiian governing entity, because the word sovereign implies supreme authority even over the US constitution, which this rule clearly is not meaning to imply.

That this native Hawaiian government or governing entity has supreme authority over federal government in Hawaii, so that should be everywhere the word sovereign, Hawaiian government, or sovereign native Hawaiian governing entity is used, or the word sovereign - or that word sovereign is used it should be removed from the rule and government relationship should be changed to government community relationship or government to governing entity relationship throughout the rule just so that there's no confusion on the level of authority that the - this governing entity has in relationship to the federal government. Thank you. That's all.

Coordinator: Thank you for your comments. Once again if you'd like to provide a comment please press star 1 and record your name. The comment session is open. If you'd like to provide a comment please press star 1 and record your name at the prompt. To withdraw your comment press star 2. Again, to provide a comment please press star 1 and record your name.

If you have just joined us the comment session is open. If you would like to provide a comment please press star 1 and record your name at the prompt. Again to provide a comment please press star 1 and record your name. Once again if you'd like to provide a comment please press star 1 and record your



name at the prompt. The comment session is open. If you'd like to provide a comment please press star 1 and record your name at the prompt.

Once again the comment session is open. If you'd like to provide a comment please press star 1 and record your name at the prompt. To withdraw your comment press star 2. Once again to provide a comment press star 1 and record your name. Thank you. Once again if you'd like to ask - make a comment you may press star 1 and record your name at the prompt. Thank you. Our next comment comes from (Miss Lopez).

(Miss Lopez): Hello, (unintelligible) (Lopez) calling in again, I mean, wanting to provide a comment. One, I appreciate this opportunity to provide comments via the conference call, and just wanted to make sure folks know that although there haven't been many comments or call-ins, that many of the people that we have been working with within (unintelligible) are very aware of the rulemaking process, trying to participate with providing venues and opportunities throughout the state for meetings and overviews about (unintelligible) rules.

And one, appreciate the FAQs that were provided, and again will be working closely with other groups in support of the department of interior's rules and want to ensure that the fact that there have been very few calls or at least comments definitely does not reflect the urgency or importance of this matter to native Hawaiians, nor does it reflect the amount of participation (unintelligible) many comments (unintelligible) and that that will be the primary venue or avenue used for those who want to submit either comments either in support or in opposition of the proposed rules.

Again thank you for making this call possible today and we look forward to the positive outcomes and opportunities that you folks have provided and made available to native Hawaiian people. Aloha and mahalo.

Coordinator: And thank you for your comments. Once again if you'd like to provide a comment please press star 1 and record your name. The comment session is still open. If you'd like to provide a comment please press star 1 and record your name at the prompt. Once again if you'd like to make a comment please press star 1 and record your name at the prompt. This concludes our comment session. I'll now hand it back to Miss Jennifer Romero.

Jennifer Romero: Thank you, (Kathy). Mahalo, thank you for all your comments and your time today. The next three-hour public teleconference is scheduled for Saturday, November 7, 2015, at 3pm eastern. 9am Hawaii Standard Time. As noted in the beginning of the call comments for the record must be received by December 30, 2015. The department will consider all oral and written comments received by that deadline. Thank you so much and we'll hear from you again.

Coordinator: This concludes today's conference. Thank you for joining us. Thank you for your comments. You may now disconnect.

END